



ANNO DECIMO QUINTO & DECIMO SEXTO

# VICTORIÆ REGINÆ.

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## Cap. clxviii.

An Act to authorize Traffic Arrangements between the *Great Western*, the *Shrewsbury and Hereford*, and the *Hereford, Ross, and Gloucester* Railway Companies. [1st July 1852.]

WHEREAS the *Great Western* Railway communicates at *Gloucester* with the *Gloucester and Dean Forest* Railway, which last-mentioned Railway is leased, under the Authority of Parliament, to the *Great Western* Railway Company: And whereas the Line of the *Hereford, Ross, and Gloucester* Railway is authorized to be made from and out of the said *Gloucester and Dean Forest* Railway, and to communicate at *Hereford* with the Line of the *Shrewsbury and Hereford* Railway: And whereas it would be attended with Advantage to the Companies to whom the said several Railways belong or are on Lease, and with much Convenience to the Public, if an uniform System of Management of the through Traffic on the said Railways were adopted, and if the said several Companies were empowered to enter into mutual Arrangements with that Object, and with reference to the Conduct of the Traffic on the said Railways: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, in manner following; that is to say,

I. That, subject to the Provisions of any Act in force for the Time being, Arrangements and Agreements may from Time to Time be made and entered into between the *Great Western* Railway Company, the *Shrewsbury and Hereford* Railway Company, and the *Hereford, Ross, and Gloucester* Railway Company, or between either of the said Companies

[Local.]

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Companies

Authorizing Traffic Arrangements between certain Railway Companies herein named.

*The Great Western, &c. Railway Companies (Traffic Arrangements) Act, 1852.*

Companies and the said *Great Western* Railway Company, concerning the Use and Management of the Undertakings belonging to or on Lease to them respectively, or of any Parts thereof, and as to the Collection and Delivery and general Conduct and Interchange of the Traffic thereon, and the Receipt and Apportionment of the Tolls and Profits arising from such Traffic, and any such Agreements under the Corporate Seals of the Companies Parties thereto respectively shall be binding on such Companies.

Arrange-  
ment not to  
affect Tolls.

II. Provided always, That no such Arrangement or Agreement to be entered into as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls which the said respective Companies shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but that all other Persons and Companies shall, notwithstanding any such Agreements, be entitled to use the said Railways, or any of them, and every Part thereof, upon the same Terms and Conditions, and upon Payment of the same Tolls, as they would have been in case no such Agreement had been entered into.

Power to  
appoint Joint  
Committees.

III. That it shall also be lawful for the Companies aforesaid, or any of them (if they think fit), by any such Agreement or Agreements as aforesaid, to appoint a joint Committee or joint Committees, composed of such Number of Directors of the Companies who may be Parties to such Agreements as they may think fit, and from Time to Time to regulate the Proceedings of such Committee or Committees, and to confer upon and delegate to such Committee or Committees all such Powers as to them may seem expedient for carrying into effect the Objects and Purposes of such Agreements, or any of such Objects which may not be inconsistent with the Powers possessed by such Companies respectively; and any such Committee so appointed shall and may have and exercise the Powers which may be so for the Time being conferred on them in reference to any of the Railways in respect of which such Powers shall be so conferred, and the Traffic thereof, and the fixing and levying of Tolls in respect thereof, in like Manner as the same might have been exercised by the Company to whom such Railway shall belong, or by the Directors of such Company

As to Ap-  
pointment of  
Umpires.

IV. That it shall also be lawful for the Companies who may be Parties to any such Agreement as aforesaid to nominate and appoint, from Time to Time as they may see occasion, and under such Conditions as they may see fit, or to agree as to the Mode of appointing, One or more Umpires for settling and determining such Points of Difference (if any) as may arise between them, or between their respective Representatives, upon any such joint Committee, respecting the Fulfilment of any of the Objects and Purposes of any such Agreement; and the Awards of any such Umpire who may be so appointed

as



*The Great Western, &c. Railway Companies (Traffic Arrangements) Act, 1852.*

as aforesaid respecting any Matter which may be referred to him under the Provisions of any such Agreement shall be binding on the several Companies Parties thereto.

V. That an Agreement, bearing Date the Twenty-sixth Day of December One thousand eight hundred and fifty-one, made between the *Great Western Railway Company* of the One Part and the *Hereford, Ross, and Gloucester Railway Company* of the other Part, shall be binding upon the said Two Companies: Provided always, that it shall be lawful for the said Companies from Time to Time, with the Consent and Approbation of Three Fifths at least of the Proprietors of such Companies respectively present, personally or by Proxy, at a Meeting of each of such Companies specially convened for the Purpose, to make such Alterations in the Terms, Conditions, and Covenants contained in the said Agreement as may be mutually agreed upon, and as may be approved by the Board of Trade.

Agreement of 26th Dec. 1851 confirmed, with Power to alter.

VI. And whereas by the *Great Western Railway Amendment and Extensions Act, 1847*, it was provided, that from and after the Transfer of the *Birmingham and Oxford Junction Railway*, and of the *Birmingham, Wolverhampton, and Dudley Railway*, or any Part thereof, to the *Great Western Railway Company*, the Tolls and Charges on the *Great Western Railway*, and the Branch Railways by that Act authorized to be made, should be reduced as therein mentioned: Be it enacted, That from and after the Expiration of One Month after the opening of the *Birmingham and Oxford Junction Railway*, and *Birmingham, Wolverhampton, and Dudley Railway*, or any Part thereof, for the public Conveyance of Goods or Passengers, whether such Transfer shall then have been completed or not, it shall not be lawful for the *Great Western Railway Company* to demand or receive for the Use of the *Great Western Railway* or the said Branch Railways, or any other Railways to which the aforesaid Provisions for Reduction of Tolls or Charges may apply, in respect of Passengers, Cattle, or Goods, or for propelling Power, or for the Conveyance of Passengers, Cattle, or Goods, Articles, Matters, or Things, along the said Railways, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance as aforesaid, (except Government Duty,) any Rates, Tolls, or Charges exceeding those prescribed and authorized to be taken by the said *Great Western Railway Company* in "The *Great Western Railway (Amendment and Extensions) Act, 1847*."

Fixing Period for Reduction of Rates and Tolls to be taken on the *Great Western Railway*.

VII. That it shall not be lawful for either of the said Companies, out of any Money by any existing Act relating to such Company authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect to any Application to Parliament for the Purpose

Deposits for future Bills not to be paid out of the Companies Capital.



*The Great Western, &c. Railway Companies (Traffic Arrangements) Act, 1852.*

Purpose of obtaining any Act authorizing such Company to construct any other Railway or execute any other Work or Undertaking.

Railways to be subject to Provisions of 1 & 2 Vict. c. 98., 3 & 4 Vict. c. 97., 5 & 6 Vict. c. 55., 7 & 8 Vict. c. 85., 9 & 10 Vict. c. 57., and 14 & 15 Vict. c. 64.

VIII. And whereas an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways*; and another Act was passed in the Fourth Year of the Reign of Her said Majesty, intituled *An Act for regulating Railways*; and another Act was passed in the Sixth Year of the Reign of Her said Majesty, intituled *An Act for the better Regulation of Railways, and for the Conveyance of Troops*; and another Act was passed in the Eighth Year of the Reign of Her said Majesty, intituled *An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways*; and another Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her said Majesty, intituled *An Act for regulating the Gauge of Railways*; and another Act was passed in the last Session, intituled *An Act to repeal the Act for constituting Commissioners of Railways*: Be it enacted, That nothing in this Act contained shall be held to exempt the said Railways and Works or the said Companies from the Provisions of the said several Acts respectively, but that such Provisions shall be in force in respect to the said Railways and Works and Companies so far as the same are applicable.

Railways not exempt from Provisions of future General Acts.

IX. That nothing herein contained shall be deemed or construed to exempt the said Railways or the Companies from the Provisions of any General Act relating to such Acts, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by the said recited Acts or this Act.

Expenses of Act.

X. That the Costs, Charges, and Expenses of obtaining and passing this Act shall be paid by the *Great Western Railway Company*.

Short Title.

XI. That this Act may be cited for all Purposes whatsoever as "*The Great Western, &c. Railway Companies (Traffic Arrangements) Act, 1852.*"

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